

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IRON WORKERS' LOCAL NO. 25
PENSION FUND, et al.,

Plaintiffs,

v.

Case No. 08-13890
District Judge Julian Abele Cook
Magistrate Judge R. Steven Whalen

OSBORN CONCRETE, INC., ET AL.,

Defendants.

ORDER

Before the Court is Plaintiff's Motion for Show Cause and/or for Order Compelling Corporate Representative of Osborn Concrete, Inc.'s Appearance and Payment of Costs [Docket #26]. Hearing was scheduled for September 21, 2010 at 10:00 p.m., and notice thereof was sent to all parties. Neither Robert A. Osborn Jr. nor any other representative of Osborn Concret showed up. Nor was a response filed to Plaintiff's motion.

Plaintiff's motion is therefore GRANTED. Plaintiff's counsel will re-notice the deposition of Osborn Concrete, Inc. within 30 days of the date of this Order. A corporate representative of Osborn Concrete, Inc. will appear for deposition at the time and place set forth on the notice, and will produce the requested documents at the deposition.

Defendant Osborne Concrete Inc. will also pay to Plaintiff's counsel reasonable costs and attorney fees in the amount of \$500.00, payable on the date of the deposition.

Plaintiff's counsel will serve copies of this order, by regular U.S. mail, on Robert A. Osborn, Jr., and on Robert A. Osborn Jr.'s bankruptcy attorney.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 23, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on September 23, 2010.

S/Gina Wilson
Judicial Assistant